

KENOSHA POLICE DEPARTMENT

Statement

DATE OF SUPPLEMENT:
11/12/04

DATE & TIME OF INCIDENT:
11/09/04 @ 0211 hours

PAGE NUMBER:
1 of 3

CASE NUMBER:
04-156477

NAME: CHARLENE R. NEJEDLY

DOB: 08-14-67 SEX/RACE: F/W

ADDRESS: 8312-14TH AVE KENOSHA, WI 53143

TELEPHONE: 652-5693

EMPLOYER: ALBANY CHICAGO

BUSINESS TELEPHONE:

This statement is being typed for me by Detective Jeff Greathouse of the Kenosha Police Department and is a true and accurate account of my statement to him.

On 11-12-04 I came to the Kenosha Police Department where I provided the following statement to Det. Greathouse.

I live at 8312-14th Ave along with my soon to be husband Francis "Jake" Clark. We have lived at this address since the middle of March of 2004. Our landlord is Kim Bell and she lives in the other side of the duplex at 8310-14th Ave. I also know that Kim's daughter Shantay and her son Michael have lived with her at this address since we have lived in our home.

On 11-09-04 at approx. 2:00AM I was in bed sleeping along with Jake when I was woken up by our dog growling and making noise. I also saw that there were lights flashing in front of our house. Our house faces east on 14th Ave and our bedroom windows face the east as well and they are on the second floor of the house. I got up to see what was going on and I looked out of the bedroom window. I could see Michael Bell and 2 police officers in the front yard on our side of the property. I noticed a dark green SUV in front of the house on 14th Ave just to the south of our driveway. The passenger door was open on the SUV but I did not notice any other vehicles in the road. I did see the police cars but I do not recall where they were on the road.

At this point I noticed that the police officers were on each side of Michael and he was kind of kneeling on the ground. It looked like they were trying to handcuff Michael. I could hear the officer's voices and it sounded like they were calling Michael by his name and telling him to put his hands behind his back or something very similar to that. I then told Jake what was going on and I turned away from the window and Jake then went to look outside. The next thing I remember is that Jake went to our upstairs bathroom window which faces west and over looks the backyard for both 8310 and 8312-14th Ave. I was still standing in the bedroom while Jake was in the bathroom and then Jake said to me something about Kim (Michael's mom) was getting involved. I then could hear what sounded like Kim screaming in the backyard. I then went to the bathroom window and the window was opened by one of us so we could hear better of what was going on. We put our heads into the window area to look outside but we also alternated back and forth as well. I would estimate that approx. 1 minute or less had elapsed from the time I was looking out the front window until Jake told me that Kim was getting involved.

I have made the above statement without any threats or promises. It is my desire to state the true facts as to this incident. I have read the above statement and find it is true and correct.

Witness: *Det. Jeff Greathouse*

Signed: *Charlene Nejedly*

Date: 11-12-04

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EXHIBIT

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When I looked out the window I could see that Kim Bell and Shantay Bell were outside in the backyard off of the back porch. They were both screaming but I could hear Kim more. Kim was saying things like leave him alone, leave my son alone, and get off of him type of things. I then saw 2 officers still kind of standing on both sides of Michael while Michael was in some kind of a crouched position on the ground. They were all in an area that is located between where some wave runners are parked and the porch. This area is just south of the driveway and Michael appeared to be facing north. I could only hear Kim screaming at this point and I heard other voices but I could not tell what they were saying or who was saying them. I then watched Kim move towards where the officers and Michael were and one of the officers moved away from Michael and he kind of used his arms to corral Kim and Shantay to move them back. That appeared to work and they back away and the officer then returned to where Michael and the other officer were at. It appeared that the officers were kicking at Michael and having a lot of physical contact with him but because Michael was facing away from me I could not see what he was doing. I think I pulled away from the window for a moment and after approx. 30 seconds I looked back out side to what was going on. I could hear yelling coming from the area and it sounded like a large struggle was going on. I could not be certain what was being said by any body in the back yard at that point. I could now see that the 2 officers and Michael were now lying on the hood of Michael's car that was parked right in front of the garage. It looked like this was going to be the end of the struggle and I thought that it was under control. I think I walked away fro a second but not for very long. I looked back out to see what appeared to be a shorted Italian looking officer moving quickly towards the group from the south. I then must have pulled away again and that is when I heard a pop sound. Right after I heard the pop I heard Shantay scream and she said something like you killed my brother. I looked outside again and the little Italian looking cop was now standing right in front of the car and he his right arm was moving down and he hand something in his hand. I then noticed that there was a cop on the other side of the fence to the north and he seemed to be breathing heavy. It got very quiet after the pop so I could hear more of what was being said. I still could not make out exact comments but I did hear a taller officer with dark hair say something about he took off like a bat out of hell. I am not sure how long after the incident I heard this statement.

When I heard the pop I thought it was a tazer because it made a weird noise and it was not really loud. I am not sure how either a gun or a tazer sounds but I expected that a gun would sound louder. After the pop the officers kind of backed away from Michael and he was laying on the front of the car and he slowly slumped to the ground on the side of the car. Michael appeared to have some thing like a balled up sweatshirt lying on the ground by him. I then noticed that there was blood on the hood of the car and I thought it was from an injury caused during the struggle. I thought that Michael had been stunned by the tazer and that is why he was not moving but when I saw the blood I yelled to Jake that I could see blood. Some time right after the pop sound Jake said to me that there was a shot but I was still thinking that it was a tazer. When I told Jake that there was a lot of blood he looked out the window and saw the

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Witness

Det. J. J. [Signature]

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Signed

[Signature]

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blood. Jake then told me that he was going to throw up and he leaned over the sink. Jake then went to lie down while I stayed by the window to watch for the paramedics. It seemed like it took forever for them to get there but they did arrive and then they took Michael away. When the paramedics started to treat Michael at the scene I started to think that he may have died by the way they were covering him up and working on him. I could see that there was a large amount of blood coming from Michael's head while he was on the ground.

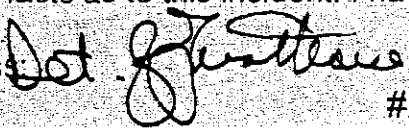
When the paramedics moved Michael to the front yard where the ambulance was I went to my bedroom window and opened it to hear what was going on. I heard the officers being questioned by other officers about what had happened and that is when I think I heard that they had shot him with a tazer at some point. I heard a lot of talking but nothing specific and it was no getting to be about 3:00AM. I was thinking that I better go to sleep because I have to get up at 5:00AM. When I woke up I put the television to see if we could hear what happened and that it when I found out that Michael had been shot by the police. I left for work at about 6:10AM or 6:15AM and they were still many officers at the scene and there was yellow tape guarding the area. When I got home at around 4:00PM there was no one around and it was like nothing ever happened.

At no point during this incident did I ever notice that Michael was ever handcuffed by the police. When Michael was slumped on the ground after the incident I looked at his stomach and his face to see if he was breathing or opening his eyes. I also can not recall any exact comments made by the officers while they were struggling with Michael in the back yard other than the ones that I stated above.



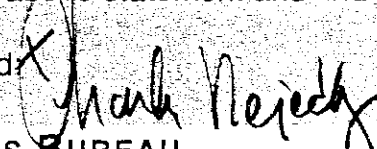
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